

Patent Docket P1219P3

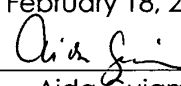
A/2
Dmt
3-12-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

MAR 04 2003

TECH CENTER 1600/2901

In re Application of Adams, Sean et al. Serial No.: 09/924,547 Filed: August 7, 2001 For: FIBROBLAST GROWTH FACTOR -19 (FGF-19) NUCLEIC ACIDS AND POLYPEPTIDES AND METHODS OF USE FOR THE TREATMENT OF OBESITY AND RELATED DISORDERS	Group Art Unit: 1647 Examiner: NOT KNOWN Confirmation No.: 7392 CERTIFICATE OF MAILING I hereby certify that this correspondence, consisting of Response To Restriction Requirement Under 35 C.F.R. § 1.121, is being facsimile transmitted to the Assistant Commissioner of Patents, Washington, D.C. on February 18, 2003  Aida Guian
--	--

RESPONSE TO RESTRICTION REQUIREMENT UNDER 35 C.F.R. §1.121

Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

In response to the Restriction Requirement dated December 17, 2002, please consider the following election and remarks. Applicants submit concurrently herewith a Petition to Extend

Time under 37 C.F.R. § 1.136(a) for response for a period of one (1) month from January 17, 2003, up to and including February 17, 2003, with the appropriate fee. Moreover, since Monday, February 17, 2003 is a Federal holiday, pursuant to 37 C.F.R. § 1.7, this response is being properly filed on Tuesday, February 18, 2003, the next business day.

Election:

Applicants received a Communication from the Examiner dated December 17, 2002 which contained a requirement for restriction in connection with the application captioned above.

More specifically, the Examiner has required a restriction under 35 U.S.C. § 121 of one of the following inventions:

- Group I: Claims 1-21, drawn to polynucleotides, vectors, host cells and methods of making a polypeptide, classified in class 435, subclass 69.4, for example;
- Group II: Claims 22-31 and 38, drawn to a polypeptide, classified in class 530, subclass 350, for example;
- Group III: Claims 32-35 and 38, drawn to an antibody to a polypeptide, classified in class 530, subclass 387.1, for example;
- Group IV: Claims 36 and 38, drawn to a compound of unspecified constitution (identified as an agonist), class undeterminable, subclass undeterminable;
- Group V: Claims 37-38, drawn to a compound of unspecified constitution (identified as an antagonist), class undeterminable, subclass undeterminable;
- Group VI: Claim 39, drawn to a method of screening for a binding agent (using the polypeptide), class 436, subclass 501, for example;
- Group VII: Claims 40-43, drawn to a method of screening for modulation of activity (using the polypeptide), classified in class 435, subclass 4, for example;
- Group VIII: Claims 44-47, drawn to a method of identifying a receptor (using the polypeptide), classified in class 436, subclass 501, for example.
- Group IX: Claims 48-49, drawn to a method of inducing leptin release (using the polypeptide), classified in class 514, subclass 2, for example;
- Group X: Claims 48 and 50, drawn to a method of inducing leptin release (using the polynucleotide), classified in class 514, subclass 44, for example;
- Group XI: Claims 51-52, drawn to a method of inducing a decrease in glucose uptake (using the polypeptide), classified in class 514, subclass 2, for example.
- Group XII: Claims 51 and 53, drawn to a method of inducing a decrease in glucose uptake (using the polynucleotide), classified in class 514, subclass 44, for example;

- Group XIII: Claims 54-55, drawn to a method of increasing insulin sensitivity (using the polypeptide), classified in class 514, subclass 2, for example;
- Group XIV: Claims 54 and 56, drawn to a method of increasing insulin sensitivity (using the polynucleotide), classified in class 514, subclass 44, for example;
- Group XV: Claims 57-60 and 62-63, drawn to a method of treating obesity (using the polypeptide), classified in class 514, subclass 2, for example;
- Group XVI: Claims 57 and 61-63, drawn to a method of treating obesity (using the polynucleotide), classified in class 514, subclass 44, for example;
- Group XVII: Claims 64-65 and 67, drawn to a method of reducing body mass (using the polypeptide), classified in class 514, subclass 2, for example;
- Group XVIII: Claims 64 and 66-67, drawn to a method of reducing body mass (using the polynucleotide), classified in class 514, subclass 44, for example;
- Group XIX: Claims 70-71 and 73-74, drawn to a method of reducing triglycerides (using the polypeptide), classified in class 514, subclass 2, for example;
- Group XX: Claims 70 and 72-73, drawn to a method of reducing triglycerides (using the polynucleotide), classified in class 514, subclass 44, for example; and
- Group XXI: Claims 75-76 and 78-79, drawn to a method of increasing metabolic rate (using the polypeptide), classified in class 514, subclass 2, for example;
-
- ~~Group XXII: Claims 75 and 77-78, drawn to a method of increasing metabolic rate (using the polynucleotide), classified in class 514, subclass 44, for example;~~
- Group XXIII: Claim 80, drawn to a transgenic animal, classified in class 800, subclass 2, for example;
- Group XXIV: Claims 81-82 and 84-85, drawn to a method of modulating the level of neuropeptide Y (using the polypeptide), classified in class 514, subclass 2, for example;